

REMARKS

Independent claims 1 and 14 have been amended to clarify the invention for which patent protection is sought. Claims 2-4, 6-10, 16, 17, and 19-32 have been canceled. Claims 1, 5, 11-15, and 18 are pending.

In ¶ 2 of the Office Action, claims 1-6, 9, 14-16, 19-22, 25, 26, 29 and 30 were rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent No. 6,665,098 to Nagarajan. The Applicants traverses this ground of rejection for the following reasons.

The Nagarajan patent discloses a scanning system in which user settings are monitored and then updated if a trend is detected. A trend exists if, e.g., 80% of the scan jobs employ the same user setting.

In contrast, amended claims 1 and 14 recite that Applicants' system updates the upper and lower grayscale levels for use in adaptive grayscale adjustment upon the detection of any change in the gain or dynamic range settings that either stabilizes within a predetermined period of time or is followed by an image capture control input.

The Applicants respectfully submit that none of the pending claims are anticipated by Nagarajan.

The rejection of claims 7, 8, 17, 23, 27 and 31 as being unpatentable over Nagarajan in view of Jensen et al. has been mooted by the cancellation of those claims. However, the

Applicants wish to point out that, contrary to the Examiner's suggestion, Jensen does not disclose optimizing a grayscale range in the manner recited by in claims 1 and 14. In Jensen, the "gray scale range is optimized by centering the ABS sampling window 36 over the dense patient anatomy in the image 30 shown in Figure 3. This is a manual operation, not a computerized process.

In ¶ 6 of the action, claims 11, 12, 18, 24, 28 and 32 were rejected as being obvious over Nagarajan in view of Hull et al. As applied to canceled claims 24, 28 and 32, this ground of rejection is moot. As applied to claims 11, 12 and 18, the Applicants traverse this ground of rejection for the following reasons.

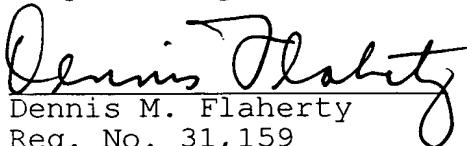
In the first place, the Hull patent adds nothing to the Nagarajan teaching vis-à-vis Applicants' amended claims 1 and 14. Therefore, claims 11, 12 and 18 are allowable at least for the same reason, set forth above, that claims 1 and 14, on which claims 11, 12 and 18, depend, are not anticipated by Nagarajan.

Secondly, in rejecting claim 11, the action asserts that col. 4, lines 34-41, of Hull discloses storing a changed value of an image processing parameter in association with a system user ID. Close scrutiny of the quoted extract reveals that this characterization is inaccurate. Lines 39-41 state that the user ID data is stored "[w]ith each block of image data". Image data means pixel data, not image processing parameters such as upper and lower grayscale levels.

Furthermore, in rejecting claim 12, the action asserts that col. 4, lines 42-57, of Hull discloses storing an application type or exam type in association with the changed value of the image processing parameter and the system user ID. However, this is not the case for the same reason stated in the immediately preceding paragraph and also for the reason that the only mention of the word "applications" in the quoted extract ("exam" does not appear) appears in line 56 in the context of a discussion concerning when the image compressor is used. The text at col. 4, lines 42-57, is silent concerning "storing an application type or exam type".

In view of the foregoing, Applicants submit that this application is now in condition for allowance. Reconsideration of the application and allowance of claims 1, 5, 11-15, and 18 are hereby requested.

Respectfully submitted,


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March 1, 2005

Date


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